

Attorney's Docket No.  $\underline{\phantom{a}}$ 

7598

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231

### **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s):

RICHARD DAIGRE

WARNING: Patent must be applied for in the name(s) of all of the actual inventor(s). 37 CFR 1.41(a) and 1.53(b).

For (title):

DISK SPRING HYDRAULIC RELEASE BRAKE

## 

**CERTIFICATION UNDER 37 CFR 1.10** 

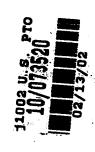
NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 CFR 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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COPY OF PAPERS ORIGINALLY FILED





# 1. Type of Application

This new application is for a(n)

(check one applicable item below)

	Original (nonprovisional)
	] Design
	☐ Plant
WARNII	NG: Do not use this transmittal for a completion in the U.S. of an International Application under 3 U.S.C. 371(c)(4), unless the International Application is being filed as a divisional, continuation continuation-in-part application.
WARNII	NG: Do not use this transmittal for the filing of a provisional application.
NOTE:	If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.
	Divisional.
	Continuation.
	Continuation-in-part (C-I-P).
2. Ben	efit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)
	If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parer case, or where the parent case is an International Application which designated the U.S., or benefind a prior provisional application is claimed, then check the following item and complete and attack ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.
WARNIN	IG: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. 120, 121 or 365(c), (35 U.S.C. 154(a)(2) does not take into account, for the determination of the patent term, an application on which priority is claimed under 35 U.S.C. 119, 365(a) or 365(b).) For a c-i-papplication, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.
WARNIN	IG: When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application must be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).
	The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.
	ers Enclosed That Are Required for Filing Date under 37 CFR 1.53(b) ular) or 37 CFR 1.153 (Design) Application
23	Pages of specification
F	Pages of claims
	Pages of Abstract
5	Sheets of drawing
	formal
<b>X</b>	X informal

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WARNING: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. Comments on proposed new 37 CFR 1.84. Notice of March 9, 1988 (1990 O.G. 57-62).

NOTE: "Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm. (5/8 inch) down from the top of the page." 37 C.F.R. 1.84(c)).

		(complete the following, if applicable)
		The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b).
١.	Additi	onal papers enclosed
		Preliminary Amendment
		Information Disclosure Statement (37 CFR 1.98)
		Form PTO-1449
		Citations
		Declaration of Biological Deposit
		Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
		Authorization of Attorney(s) to Accept and Follow Instructions from Representative
		Special Comments
		Other
5.	Decla	ration or oath
	X	Enclosed
		Executed by
		(check all applicable boxes)
		inventor(s).
	•	legal representative of inventor(s). 37 CFR 1.42 or 1.43.
		joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
		This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.
		Not Enclosed.
И	VARNING	where the filing is a completion in the U.S. of an International Application, but where a declaration
		is not available, or where the completion of the U.S. application contains subject matter in addition

to the International Application, the application may be treated as a continuation or continuation-inpart, as the case may be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE

BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

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·	
Application is made by a person authorized under 37 CFR 1.41(c) on of all the above named inventor(s).	behal
(The declaration or oath, along with the surcharge required by 37 CFR 1.16(e, can be filed subsequently).	l
NOTE: It is important that all the correct inventor(s) are named for filing under 37 CFR 1.41(c) and 1	.53Љ).
Showing that the filing is authorized.  (not required unless called into question. 37 CFR 1.41(d))	
6. Inventorship Statement	
WARNING: If the named inventors are each not the inventors of all the claims an explanation, include ownership of the various claims at the time the last claimed invention was made, sho submitted.	ng the uld be
The inventorship for all the claims in this application are:	
The same.	
or	
Not the same. An explanation, including the ownership of the various claim the time the last claimed invention was made,	ns at
is submitted.	
will be submitted.	
7. Language	
NOTE: An application including a signed oath or declaration may be filed in a language other than End A verified English translation of the non-English language application and the processing fee of \$1 required by 37 CFR 1.17(k) is required to be filed with the application, or within such time as most by the Office. 37 CFR 1.52(d).	30 00
NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be trans 37 CFR 1.69(b).	lated.
English English	
☐ Non-English	
☐ The attached translation is a verified translation. 37 CFR 1.52(d).	
8. Assignment	
An assignment of the invention toWHITE HYDRAULICS, INC.	<del></del>
is attached. A separate  "COVER SHEET FOR ASSIGNMENT (DOMENT) ACCOMPANYING NEW PATENT APPLICATION" or FORM 1595 is also attached.  will follow.	PTO

NOTE: "If an assignment is submitted with a new application, send two separate letters-one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).

WARNING: A newly executed "CERTIFICATE UNDER 37 CFR 3.73(b)" must be filed when a continuation-in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G. 62-64.

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Independent

Claims (37 CFR 1.16(b))

if any (37 CFR 1.16(d))

Multiple dependent claim(s),

Certified copy(ies) of application(s)

country	appln. no.		filed
country	appin, no.		filed
country	appin. no.	<u> </u>	filed
from which priority is claimed			
☐ is (are) attached.			
□ will follow.	•		
NOTE: The foreign application for declaration. 37 CFR 1.55(a)	ning the basis for the claim fo and 1.63.	r priority must be n	eferred to in the oath or
U.S. application or Internation 120 is itself entitled to prior	priority for which the applicate onal Application from which thin the firm a prior foreign application TRANSMITTAL WHERE	s applicatio <mark>n claims</mark> ition, then complete	benefit under 35 U.S.C. item 18 on the ADDED
10. Fee Calculation (37 CFF	R 1.16)		
A. Regular application			
	CLAIMS AS FILED		
Number filed	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) <del>\$750.00</del>
Total Claims (37 CFR 1.16(c)) 35-	20 = 15 ×	18.00 \$ <del>22.00</del>	270.00

×

+

$\overline{}$	Amendment	cancelling	avtra	claime	anclosed	
	Amenament	cancemno	exua	Ciaims	encioseo	

☐ Amendment deleting multiple-dependencies enclosed.

Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 CFR 1.16(d).

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Filing Fee Calculation

**\$** 1346.00

336.00

-0-

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84.00

280.00 \$2<del>50.00</del>

\$ 78.00



B.		Design application (\$310.00—37 CFR		
			Filing Fee Calculation	<b>\$</b>
C.		Plant application (\$510.00—37 CFR		V
		-	Filing fee calculation	\$
11. S	3ma	II Entity Statement	(s)	
4	X	Verified Statement(s 1.27 is (are) attach	s) that this is a filing by a small entity ed.	under 37 CFR 1.9 and
WARI	NING	or patent in which the under 35 U.S.C. 119(e filed in the prior appli statement in the prior	y in one application or patent does not affect an or patents which are directly or indirectly dep status has been established. A nonprovisional, 120, 121 or 365(c) of a prior application may cation if the nonprovisional application include application or includes a copy of the verified a small entity is still proper and desired." 37	endent upon the application application claiming benefit rely on a verified statement les a reference to a verified a statement filed in the prior
		(com	plete the following, if applicable)	
[		Status as a small e	ntity was claimed in prior application	1
	•	is being claimed for	, filed on r this application under:	, from which benefit
		35 U.S.C.   119   120   121   365	,	
		and which status a	as a small entity is still proper and d	esired.
		☐ A copy of the	verified statement in the prior applic	ation is included.
Filing F	ee (	Calculation (50% of		\$ 673.00
NOTE:	Wit	vexcess of the full fee pa nin 2 months of the date fer § 1.136. 37 CFR 1.28	aid will be refunded if a verified statement and of timely payment of a full fee. The two-mon (3(a).	d a refund request are filed th period is not extendable
12. Re	que	est for Internationa	I-Type Search (37 CFR 1.104(d))	
			(complete, if applicable)	
	) '	Please prepare an int when national exami	ernational-type search report for this a nation on the merits takes place.	application at the time

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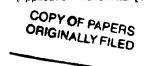


14.

13.

13. F	ee Pay	ment Being Made at This Time		
(	☐ Not	t Enclosed		
		No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1. quently.)	16(e) can be	paid subse-
į,	Enc	closed		
ν.	×	Basic filing fee	\$_	673.00
		Recording assignment (\$40.00; 37 CFR 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)	\$ _	40.00
		Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.  (\$130.00; 37 CFR 1.47 and 1.17(h))	\$ _	
		For processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k))	\$	· · · · · · · · · · · · · · · · · · ·
		Processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l))	\$_	
		Fee for international-type search report (\$40.00; 37 CFR 1.21(e))	\$	
NOTE:	to comp 1.53 and filing fee	1.21(I) establishes a fee for processing and retaining any applicate plete the application pursuant to 37 CFR 1.53(d) and this, as well 1.78, indicate that in order to obtain the benefit of a prior Use must be paid, or the processing and retention fee of § 1.21(I) region under § 53(d).	well as the chang .S. application, e	ges to 37 CFR ither the basic
		Total fees enclosed	\$ 713.	00
4. Me	ethod o	of Payment of Fees		
×	Che	ck in the amount of \$_713.00		
	] Cha	rge Account No in the amount uplicate of this transmittal is attached.	of \$	•
NOTE:	Fees sho	ould be itemized in such a manner that it is clear for which purp	oose the fees are	paid. 37 CFR

NOT 1.22(b).







### 15. Authorization to Charge Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.



The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No.

37 CFR 1.16(a), (f) or (g) (filing fees)

37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 CFR 1.17 (application processing fees)

WARNING: While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a), this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 C.F.R. 1.136(a) is to no avail unless a request or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).

NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . issue fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

16. Instructions as to Overpayment

Credit Account No. <u>12-1347</u>

Refund

Reg. No. 29,557

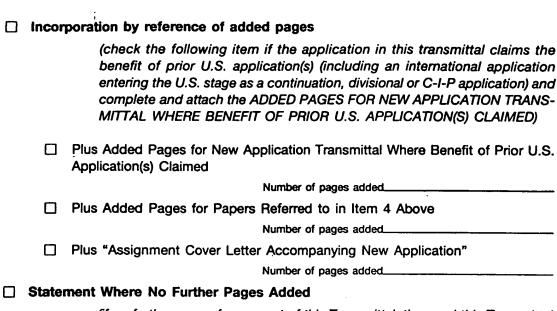
WILLIAM S. LIGHTBODY

(type or print name of attorney) Tel. No. (216) 621-7337

> 32600 FAIRMOUNT BLVD., STE. 100 P.O. Address PEPPER PIKE OH 44124

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(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item.)

This transmittal ends with this page.

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